

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2009-21

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday December 14, 2009 at 7:00 pm

Meeting was called to order at 7:00 p.m.

PRESENT:	Margaret Walsh	Reeve
	Fred Lang	Deputy Reeve
	Rick Phillips	Councillor
	Iain Gardiner	Councillor
	Chris Brady	Councillor
	Steve Mercer	Clerk-Treasurer

ABSENT: None

Declaration of Pecuniary Interest: none declared

MOVED BY: Councillor Iain Gardiner
SECONDED BY: Councillor Chris Brady
THAT the Agenda of December 14, 2009 be adopted.
CARRIED

MOVED BY: Councillor Chris Brady
SECONDED BY: Councillor Iain Gardiner
THAT the minutes of the November 23, 2009 Regular Meeting and November 23, Meeting of Committee of Adjustment be approved as corrected.
CARRIED

DELEGATIONS

Constantine Koutakis – Plumb Rd

- Approached Council regarding a drainage concern
- The Plumb Rd. runs north south and drainage in the area moves from the northeast to the southwest
- There is a culvert that crosses the road and the southern end of Plumb Road in the vicinity of Mr. Koutakis driveway which assists the east to west flow
- Mr. Koutakis is asking that the culvert be removed and the eastern side of Plumb Rd be ditched another 150 ft to the south, beyond where the road is cleared or maintained
- This would divert the water further south prior to it heading west
- Mr. Koutakis indicated he had plans to build up his portion of the property in the area and is concerned about the flow through the culvert having a negative impact on his plans

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Colleen Cremasco

- Attended Council as she is frustrated with the conduct of her neighbours
- By-law Officer Stan Laton has been assisting this matter but the delegation insisted on appearing before Council
- They are having issues with their neighbours regarding alleged trespass, harassment and a property boundary dispute
- Although Council appreciated their predicament they indicated that this was not a municipal matter and that it should be handled by the OPP
- The delegation complemented the roads department on their good work the area

PASSING OF ACCOUNTS

MOVED BY: Councillor Chris Brady
SECONDED BY: Councillor Rick Phillips
THAT the following accounts be approved as presented:

General Government	23,273.57
Roads Department	429,286.36
Recreation Department	1,618.94
Protective Services	847.76
Fire Department	61,761.65

CARRIED

A question arose about the check to the auditors in the amount of \$8,610.00. The Clerk explained that \$5,000 of this amount was the audit review of the PSAB project over the past two years and that the remainder is for our interim audit.

STAFF REPORTS

John Farrell, Roads Supervisor
Provided written report

Highlights

- The snow plows have now been out
- The Smith Rd project is complete
- Fencing project at Municipal Yard is complete
- Brushing along Cross and Marysville
- Grading
- Removal of beaver dams on Tracy and Harmony

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Stan Laton, Fire Chief
Provided written report

Highlights

- There have been 4 calls for service since the last reporting period
- The Fire Department participated in the 2009 Deseronto Santa Claus Parade
- Councillor Phillips indicated that he supported this presence but indicated that he had received concerns that we may have had a disproportionate amount of our trucks and hardware at the event
- The National Air Force Museum of Canada has donated a 1953 fire truck to the Tyendinaga Fire Department which they plan on refurbishing and putting on display
- Planning is well underway for 2010 Fire Prevention activities
- There was a slight accident this past week when responding to a call where one of the trucks made contact with the door – damage is much less than originally thought and not necessary to pursue an insurance claim.

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

THAT this Council accepts the staff reports as presented.

CARRIED

The following declarations were provided for items to be added to the agenda under ‘New Business’:

Clerk Steve Mercer	0 items
Reeve Margaret Walsh	1 item
Deputy Reeve Fred Lang	2 items
Councillor Iain Gardiner	1 items
Councillor Chris Brady	0 items
Councillor Rick Phillips	2 items

CORRESPONDENCE

MOVED BY: Councillor Rick Phillips

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the correspondence:

- AMO – November 26, 2009 – Advocacy for OMPF and OMPF Mitigation Funding for 2010
- Templeman – Menninga December 3, 2009 – Fitzgibbon Subdivision

CARRIED

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NEW BUSINESS

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council supports the request from Lafleshe Environmental Inc asking for a letter of support in regards to funding they are applying for through the National Science and Engineering Council regarding research into best solutions to treat waste and resolve environmental challenges.

CARRIED

In regards to the meeting request put forward by the Clerk in regards to Recreation 2010 the Council decided to meet with the Clerk on December 21, 2009 at 1pm

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council authorizes a 2009 budget adjustment in the amount of \$53,500 concerning the Callaghan Road reconstruction project. Be it further moved that this amount was to be drawn as per 2009 budget from general taxation. Be it further moved that this amount is now to be drawn from the Investing in Ontario Reserve amount. Be it further moved that this adjustment when reconciled with other infrastructure projects actually brings the 2009 budget back in line with Council's expectations.

CARRIED

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That this Council, based on the recommendation of our municipal engineer authorizes a change order to the Melrose Sand/Salt Dome Project in the amount of \$6,562.21. Be it further moved that the approved contract price was \$38,615 and that a prior change order has been approved for \$9,715. Be it finally moved that given a 13% engineering cost estimate, it appears the project is going to come in the neighbourhood of \$62,028, well within our funding allocation.

CARRIED

The Clerk tabled several documents concerning road closure requests brought forward by CN concerning property near the CN tracks and Shannonville Rd. Council was not comfortable with the request and required more information. Ultimately Council does wish to accommodate CN's many requests in order to facilitate the building of the third track, but that Council is going to travel at a pace they are comfortable with. The Clerk was asked to arrange a meeting with our legal Council on December 21, hopefully in conjunction with another scheduled meeting so that they can gain greater clarity as to what these requests entail and what we may be able to ask for in return.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives and accepts the proposed reconstruction of level crossing at Shannonville Rd, mile 213.45 in the Kingston subdivision

CARRIED

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MOVED BY: Councillor Iain Gardiner
SECONDED BY: Deputy Reeve Fred Lang

That Council approves a severance by RUSSEL HENRY, Concession 8, Part Lots 21 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot created (made payable to the Township of Tyendinaga)
2. Proof of potable water and adequate flow rate.
3. Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office from the Township of Tyendinaga that an entrance can be established suitable to the Township Road Supervisor.
4. The severed lot be rezoned to "RURAL RESIDENTIAL" and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)

CARRIED

MOVED BY: Deputy Reeve Fred Lang
SECONDED BY: Councillor Iain Gardiner

That Council approves a severance by DREW CHADWICK, Concession 3, Part Lots 40 with the following conditions applied:

5. Payment in Lieu of Parkland fee of \$750.00 per new lot created (made payable to the Township of Tyendinaga)
6. Proof of potable water and adequate flow rate.
7. Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office from the Township of Tyendinaga that an entrance can be established suitable to the Township Road Supervisor.
8. The severed lot be rezoned to "RURAL RESIDENTIAL" and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)

CARRIED

Deputy Reeve Fred Lang

- Brought up a couple of points raised at a recent Library Board meeting
- The Clerk had provided a reconciliation to the library regarding prior years audit and insurance fees
- The Clerk explained that he was not invoicing the Library, rather he was illustrating the true facts of the numbers that were asked to be verified by the Library
- Also discussed was the Heritage Tour and that there needs to be a lead person to head up the project
- It was suggested that the Library Board help identify a lead for this project and that Council had allocated \$2,000 to support a 2010 Heritage Tour if one was to take place

- Also brought to Council's attention that he has received concerns that the Phillips Road is not wide enough to accommodate both Township truck traffic and regular traffic

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- John agreed that this was a problem and this issue would be left for the next Council as we already had an approved capital plan for 2010

Councillor Gardiner

- Advised and updated Council on the BISC discussion recently taking place with regards to the inclusion of Madoc Township in the BISC group
- Gardiner advised Council that a draft fee for services agreement had been drafted by the respective Clerks on a month to month arrangement to help Madoc Twp in the interim
- Councillor Gardiner advised Council that this was a short term solution and that a larger discussion would be taking place in the new year
- This interim arrangement does not compromise service delivery to Tyendinaga Township

Councillor Phillips

- Wanted to prompt Council to move forward on some decisions concerning our Occupational Health and Safety program
- Council has heard the needs of Bill McFarlane, our H&S representative
- Council has heard a delegation from Linda McGill, a professional expert in these matters
- The question still is before us – what do we do now?
- It was agreed that Council would discuss this matter on December 21 in conjunction with the Recreation planning meeting and our meeting with legal counsel regarding CN

- Also brought to Councils attention that in conjunction with Quinte Waste Solutions, our Hazardous waste day for 2010 will be Saturday April 17, in conjunction with our community clean –up day
- Moreover a TV disposal day is scheduled for the Township for April 24, 2010.
- This may also be an opportunity given our smaller population to partner with Deseronto and the Mohawks of the Bay of Quinte to see if they wish to be included

Reeve Margaret Walsh

- Tabled an updated document to Council issued from the Eastern Ontario Wardens Cucus
- The press release concerned an update on the eastern Ontario Broadband project
- Total cost is estimated at \$170 M
- It is expected to be fully operational in late 2012 or early 2013
- County CAO Jim Pine will also be providing updates as the project progresses

MEMBERS REPORTS

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives Quinte Waste Solutions – Board Minutes – October 26, 2009

CARRIED

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BY-LAWS

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council hereby passes By-law 29-2009, being a by-law for the establishment of Fire Department Service Fees.

CARRIED

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Iain Gardiner

That this Council defers By-law 30-2009, being a by-law to provide the regulation and prohibition of noise for further revisions by staff at the request of Council.

CARRIED

ADJOURNMENT

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

That this Regular Council Meeting be adjourned 9:15 pm.

CARRIED

Margaret Walsh, Reeve

Steve Mercer, Clerk Treasurer